

# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)



## Meeting Agenda - Draft

Thursday, February 5, 2015

8:30 AM

Regular Session

Council Chambers

### City Council

*President - Oliver L. Baines, III*

*Vice President - Paul Caprioglio*

*Councilmembers:*

*Lee Brand, Steve Brandau, Clinton J. Olivier,*

*Sal Quintero, Esmeralda Z. Soria*

*City Manager - Bruce Rudd*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, CMC*

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

The agenda and related staff reports are available on ([www.fresno.gov](http://www.fresno.gov)) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Comcast Channel 96 and AT&T Channel 99 from 8:30 a.m. and re-played beginning at 8:00 p.m.

**PROCESS:** For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

No documents shall be accepted for Council review unless they are submitted to the City Clerk at least 24 hours prior to the Council Agenda item being heard.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

**AGENDA ITEMS MARKED WITH AN ASTERISK (\*\*\*) ARE SUBJECT TO MAYORAL VETO OR RECONSIDERATION**

8:30 A.M. ROLL CALL

Invocation (District 1)

Pledge of Allegiance to the Flag

## **CEREMONIAL PRESENTATIONS**

**ID#15-090** Presentation of an award to the City of Fresno Water Division from the American Backflow Prevention Association (ABPA) in recognition of their support and donation of resources to assist the ABPA in its mission to educate and provide technical assistance for the region and ultimately, to protect drinking water from contamination through cross-connection

**Sponsors:** Department of Public Utilities

**ID#15-093** Proclamation of "Leo Politi's story Moy Moy"

**Sponsors:** City Councilmember Quintero

## **APPROVE MINUTES**

Approval of City Council minutes from January 29, 2015

## **COUNCILMEMBER REPORTS AND COMMENTS**

## **APPROVE AGENDA**

### **1. CONSENT CALENDAR**

*All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time allows.*

- 1-A ID#15-043** Actions pertaining to the vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of E. Church Avenue (Council District 3)
1. Adopt a finding of Categorical Exemption per staff

determination, pursuant to Sections 15304 and 13305 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-14-041

2. RESOLUTION - Ordering the summary vacation of a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of E. Church Avenue

**Sponsors:**

Public Works Department

**1-B ID#15-066**

Actions pertaining to the new manhole access sewer structures (Council Districts 3, 4, 7 and parts of Fresno County)

1. Adopt a finding of Categorical Exemption of Class 3, pursuant to Section 15303(d) (New construction or conversion of small structures) and Class 4, pursuant to Section 15304(f) (Minor alterations to land) of the California Environmental Quality Act Guidelines

2. Award a \$195,185 contract to Floyd Johnston Construction Company, Inc. of Clovis, California

**Sponsors:**

Department of Public Utilities

**1-C ID#15-081**

Actions pertaining to the traffic signal protected left-turn phasing improvements at the intersection of Cedar Avenue and Bulldog Lane - Project Bid File No. 3362 (Council District 4)

1. Adopt finding of a Categorical Exemption pursuant to Class 1 Section 15301(c) (existing facilities) of the California Environmental Quality Act ("CEQA") Guidelines for the traffic signal protected left-turn phasing improvements at the intersection of Cedar Avenue and Bulldog Lane

2. Award a construction contract to A-C Electric Company of Fresno, California, in the amount of \$283,200 for the traffic signal protected left-turn phasing improvements at the intersection of Cedar Avenue and Bulldog Lane

**Sponsors:**

Public Works Department

## **CONTESTED CONSENT CALENDAR**

### **2. GENERAL ADMINISTRATION**

**2-A ID#15-008**

Actions pertaining to an award of a construction contract to R&H Industries dba Best Electric of Gardena, California in

the amount of \$692,300 for the emergency generator upgrade at Fresno City Hall (bid file No. 3314) (Council District 3)

1. Adopt finding of a Categorical Exemption per staff determination, pursuant to Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract with R&H Industries dba Best Electric of Gardena, California in the amount of \$692,300 for the emergency generator upgrade at Fresno City Hall

**Sponsors:**

Public Works Department

**2-B ID#15-012**

Approve the selection of, and award a contract to, \_\_\_\_ in the amount of \$\_\_\_\_ for the Southwest Fresno Specific Plan

**Sponsors:**

Development and Resource Management Department

**2-C ID#15-046**

Authorize the City Manager, or his designee, to enter into a multi-year lease agreement with American Tower Corporation for a public safety radio tower position in the Southeast area of Fresno.

**Sponsors:**

Fire Department and Police Department

**2-D ID#15-069**

\*\*\*RESOLUTION - 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$21,750,000 for previously approved capital and operating projects in FY 2015 (Requires 5 affirmative votes) (Citywide)

**Sponsors:**

Public Works Department

**2-E ID#15-074**

Award a requirements contract for custodial services at Fresno City Hall in the amount of \$323,736 for three years with an option for two one-year increment extensions to Lincoln Training Center of Fresno, CA (Council District No. 3) Bid File No. 9289

**Sponsors:**

Public Works Department

**2-F ID#15-075**

Award a requirements contract for custodial services at various City facilities in the amount of \$531,671 for three (3) years with an option for two (2) one-year (1) year increment extensions to Geil Enterprises dba Janitorial Inc., of Fresno.

**Sponsors:**

Public Works Department

**2-G ID#15-077**

Actions pertaining to the Tertiary Treatment Facility and

associated solar energy facility clean water State Revolving Fund construction financing (Council District 3)

1. Adopt a revised resolution to pledge revenues and funds to satisfy repayment obligations for the financing agreement
2. Approve agreement with California State Water Resources Control Board for the construction financing in the amount not to exceed \$49,043,336
3. \*\*\*RESOLUTION - 37th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$10,384,000 in the sewer enterprise State Revolving Loan Fund for the tertiary treatment (TTF) and associated Solar Facility (SEF) at the Regional Wastewater Reclamation Facility (RWRF) (Requires 5 affirmative votes)

**Sponsors:**

Department of Public Utilities

**2-H ID#15-079**

RESOLUTION - Authorizing an application to the Department of the Interior, Bureau of Reclamation for a FY2015 WaterSMART: Water and Energy Efficiency Grant in the amount of up to \$1,000,000 for the Friant-Kern Raw Water pipeline project and authorize the Director of Public Utilities or designee(s) to execute all application documents on behalf of the City of Fresno

**Sponsors:**

Department of Public Utilities

### **3. CITY COUNCIL**

**ID#15-070**

Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:

1. Council of Governments - Swearengin-Ex-Officio (Olivier-Alternate)
2. Financial Audit Committee - 3 vacancies
3. Fresno Area Workforce Investment Corporation - Baines
4. Fresno County Transportation Authority (FCTA) - Swearengin, Brandau
5. Fresno Regional Workforce Investment Board - Baines, Renena Smith
6. Fresno County Zoo Authority - Swearengin (Baines-Alternate)

7. Fresno Madera Area Agency on Aging Board - Olivier
  8. Joint Powers Financing Authority - Baines, Vacant, Swearengin
  9. San Joaquin River Conservancy Board - Swearengin (Brandau-Alternate)
  10. Association for the Beautification of Highway 99 - Baines
  11. Upper Kings Basin Integrated Regional Water Management JPA -Vacant
  12. Pension Reform Task Force - Brand, (2nd and 3rd Member vacant)
  13. Economic Development Corporation Serving Fresno County - Brandau-Ex-Officio
  14. Fresno/Clovis Convention & Visitors Bureau (CVB) - Amy Fuentes
  15. League of California Cities (Annual Meeting) - Swearengin (Olivier-Alternate)
  16. San Joaquin Valley Air Pollution Control District - Baines
  17. Infill Development Ad Hoc Subcommittee - Brand, Baines, Olivier
  18. Litigation Exposure Reduction Ad Hoc Committee - Brandau, Caprioglio
  19. Convention Center Oversight Advisory Board - Baines, (Brand-Alternate), City Manager, SMG General Manager and one representative from each of SMG's organizations
  20. Transportation Committee - Baines, Olivier, Vacant
  21. Code Enforcement Sub-Committee - Baines, Olivier, Caprioglio
- Action Taken:

**Sponsors:**

City Councilmember Baines

#### **4. CLOSED SESSION**

- ID#15-071** CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8  
Property: 5607 W. Jensen  
Negotiating Parties: City Manager Bruce Rudd; Darling Ingredients, Inc.
- ID#15-098** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED

LITIGATION - Government Code Section 54956.9,  
subdivision (d)(2)

Significant Exposure to Litigation:

1. Floyd Johnson Construction Company v. City of Fresno  
(WEST YOST PROJECT: WC00030 Large Diameter  
Transmission Main in Northeast Fresno Segment I)

**Sponsors:** City Attorney's Office

## **5. SCHEDULED COUNCIL HEARINGS AND MATTERS**

### **10:00 A.M.**

**ID#15-067**

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 58 (Final Tract Map No. 6033) (northeast corner of N. Fowler and E. Clinton Avenues) (Council District 4)

1. RESOLUTION - Annexing Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax
2. RESOLUTION - Calling Special Mailed-Ballot Election
3. RESOLUTION - Declaring Election Results
4. \*\*\* BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 58, Final Tract Map No. 6033

**Sponsors:** Public Works Department

### **10:15 A.M.**

**ID#15-094**

Consider an appeal filed by Councilmember Caprioglio, appealing the Planning Commission's action to approve Conditional Use Permit No. C-13-092 and related Vesting Tentative Tract Map No. 6033/UGM, and environmental findings, by Jeffrey T. Roberts of Granville Homes, Inc, for property located on the northeast corner of N. Fowler and E. Clinton Avenues (Council District 4)

(Continued from October 23, 2014)

1. ADOPT the Mitigated Negative Declaration for the Conditional Use Permit No. C-13-092 and Vesting Tentative Tract Map No. T-6033 prepared for Environmental Assessment No. A-11-003, R-11-003, C-13-092, T6033



dated March 21, 2014

2. RESOLUTION - Deny the appeal and approve  
Conditional Use Permit No. C-13-092

3. RESOLUTION - Deny the appeal and approve Vesting  
Tentative Tract Map No. 6033/UGM

**Sponsors:**

Development and Resource Management Department

**10:30 A.M.**

**JOINT MEETING OF THE CITY OF FRESNO, THE SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO  
REVITALIZATION CORPORATION**

**ID#15-100**

Successor Agency to the Redevelopment Agency of the City  
of Fresno and Fresno Revitalization Corporation (FRC)  
consider adopting:

1. RESOLUTION - Approving the Recognized Obligation  
Payments Schedule (ROPS) 15-16A for July through  
December of 2015

**ADJOURNMENT**

**5:00 P.M.**

**ID#15-080**

HEARING - To consider adopting Amended Water Rates  
According to Proposition 218

1. \*\*\*RESOLUTION - \_\_\_\_\_ amendment to the Master  
Fee Schedule (MFS) Resolution No. 80-420
2. RESOLUTION - Ratifying the Proposition 218 Process  
according to California Constitution Consider Article XIID  
and adopting a five-year water rate plan
3. \*\*\*RESOLUTION - \_\_\_\_\_ amendment to the Master Fee  
Schedule (MFS) Resolution No. 80-420 to adjust water fees  
in the Public Utilities Water Fee Section According to  
Proposition 218

**Sponsors:**

Department of Public Utilities

**PLEASE NOTE: UNSCHEDULED COMMUNICATIONS IS NOT SCHEDULED FOR A  
SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING**

**UNSCHEDULED COMMUNICATION**

*Members of the public may address the Council regarding items that are not listed  
on the agenda and within the subject matter jurisdiction of the Council. Each*

*person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.*

ADJOURNMENT

**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

*FEBRUARY 12, 2015 - NO MEETING*

*FEBRUARY 19, 2015 - NO MEETING - PRESIDENT'S DAY*

*FEBRUARY 26, 2015*

*10:00 A.M. CONTINUED HEARING to Consider a Resolution of Public Use and Necessity for Acquisition of Permanent Utility Easements and Temporary Construction Easements from APNs 581-030-02s owned by Rodric H. and Kimberly K. Lichti; 580-040-07 owned by Earleen Leshar, and 580-040-08 owned by Earleen Leshar as to an undivided 72% and the estate of Velda D. Leshar as to an undivided 28%; 580-040-21s (formerly a portion of 580-040-03) owned by Robert D. and Suzanne Johnson, as trustees of the Johnson Family Trust; and 581-020-05s owned by Lilli Herold and Linda E. Cheney, as trustees of the "Lilli Herold Living Trust".*

**UPCOMING EMPLOYEE CEREMONIES**

*APRIL 8, 2015 (Weds.)*

*2:00 P.M. Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)*

*APRIL 30, 2015*

*8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)*

*JULY 16, 2015*

*8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)*

*OCTOBER 1, 2015*

*8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)*

OCTOBER 21, 2015 (Weds.)

2:00 P.M. Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)

**2014 CITY COUNCIL MEETING SCHEDULE**

FEBRUARY 12 2015 - NO MEETING

FEBRUARY 19 2015 - NO MEETING - PRESIDENT'S WEEK

FEBRUARY 26 2015 - 8:30 A.M.

MARCH 5 2015 - 8:30 A.M.

MARCH 12 2015 - NO MEETING

MARCH 19 2015 - NO MEETING

MARCH 26 2015 - 8:30 A.M.